A. B. , Cutchi Memon, occupation age , residing at , has been examined and testified to the identity of the above declarant, and is personally known to the undersigned Registrar / Sub-Registrar (or A. B. in his turn is identified by C. D., who is personally known to the undersigned Registrar / Sub-Registrar).

(Signed) *

Date

(Signed) Registrar / Sub-Registrar
appointed under the Cutchi Memons Act, 1920, to be an authority before whom declaration under that Act shall be made

RULES UNDER ACT XLVIII OF 1920

INDIAN TERRITORIAL FORCE

THE INDIAN TERRITORIAL FORCE RULES, 1921

G. of I., Army Dept., Notn. No. 1583, 5th Aug. 1921, republished in Govt., Notn. No. 8049, H. D., 17th Aug. 1921, B. G., 1921, Pt. 1, p. 1971.

In exercise of the powers conferred by sub-section (1) of section 13 or the Indian Territorial Force Act, 1920 (XLVIII of 1920), the Governo General in Council is pleased to make the following rules :—

1. *Short title.*—These rules may be called the Indian Territorial Force Rules, 1921.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(*a*) 'the Act' means the Indian Territorial Force Act, 1920; XLVIII of 1920.

(*b*) 'Form' means a Form as set out in Schedule I;

(*c*) 'regulations' means regulations made under section 14;

(*d*) 'Schedule' means a Schedule to these rules;

(*e*) 'section' means a section of the Act;

(*f*) 'training year' means a period of twelve months beginning on the first day of April and ending on the thirty-first day of March;

[illegible] 'Officer

or unit when that corps or unit is not embodied for training or military service.

* Signature of identifier.

(*h*) the expression 'Officer Commanding the District' means the General or other officer in command of the military district or other area within which the head-quarters of a corps or unit constituted under the Act are situated.

PART I.

ENROLMENT.

3. *Conditions of enrolment.*—Every person offering himself for enrolment shall fulfil the following conditions :—

(*a*) he shall not be a person who is a member of a criminal tribe within the meaning of the Criminal Tribes Act, 1911, or who has at any time been sentenced to a term of transportation or imprisonment, or to whipping, or who has been ordered under the provisions of the Code of Criminal Procedure, 1898, to give security for his good behaviour, such sentence or order not having been subsequently reversed or remitted or the offender pardoned ;

(*b*) he shall not have been dismissed from the Indian Territorial Force ;

(*c*) he shall be of good character ;

(*d*) he shall have attained the age of 18 years or, in the case of applicants for enrolment in a University Corps, the age of 17 years and he shall not have attained the age of 31 years ;

provided that any non-commissioned officer or man of the Indian Territorial Force who desires to be re-enrolled as hereinafter provided during his current term of enrolment or any person who has completed a term of enrolment in the Indian Territorial Force or any soldier discharged from His Majesty's Indian Forces with not less than three years' approved service and with a good character may be enrolled if he has not attained the age of 35 years and does not belong to the Indian Army Reserve ; and

(*e*) he shall have attained such standard of height, chest measurement and physical fitness as may be required by regulations.

4. *Application for enrolment.*—(*1*) A person desirous of being enrolled shall apply to the officer commanding the corps or unit for service in which he desires to be enrolled or to an officer who is a recruiting officer or assistant recruiting officer for the purpose of the enrolment of persons under the Indian Army Act, 1911, or to the District Magistrate of the district in which he ordinarily resides or to such other officer as may be appointed by the Local Government in this behalf.

(*2*) The officer or Magistrate to whom an application under sub-rule (*1*) has been made shall cause the applicant to fill up and sign in his presence a copy of Form I.

(*3*) When the application has been made to any person, other than the officer commanding the corps or unit, empowered under

sub-rule (*1*) to receive applications for enrolment, such person shall forward the application together with the Form referred to in sub-rule (2), to the officer commanding the corps or unit for service in which the applicant desires to be enrolled.

(*4*) Applications of persons desirous of being enrolled in a University Corps must be countersigned by the Principal of the College of which the applicant is a member, or by the Registrar of the University.

5. *Verification.*—When an application is under rule 4 made to, or received by, the officer commanding a corps or unit, that officer shall satisfy himself in such manner as may be laid down by the Local Government that the application is in order and that the applicant fulfils the conditions of enrolment specified in rule 3, and may make such further inquiry as he thinks fit regarding the suitability of the applicant for the corps or unit in which he desires to be enrolled.

6. *Medical examination.*—If the commanding officer is satisfied that the application is in order, that the applicant fulfils the conditions of enrolment and that he is suitable for enrolment in the corps or unit for service in which he desires to be enrolled, he shall cause the applicant to be served with a notice requiring him to present himself for medical examination at a time and place to be specified in the notice.

7. *Rejection.*—If the commanding officer is not satisfied that the application is in order or that the applicant fulfils the conditions of enrolment or that he is suitable to be enrolled in the corps or unit of his choice, or if the applicant fails to comply with the notice served on him under rule 6 or is reported to be medically unfit for service in the Indian Territorial Force, the commanding officer shall reject the application and shall inform the applicant accordingly :

provided that the Officer Commanding the District shall have power to review any case of rejection and may thereupon order the enrolment of the applicant.

8. *Method of enrolment.*—(*1*) If the commanding officer does not reject the application, the applicant shall be accepted for enrolment, and shall be required to fill up a copy of Form II and to sign the declaration at the foot thereof.

(*2*) If the commanding officer is satisfied that the applicant understands the questions put to him, and consents to the conditions of service, he shall sign a certificate to that effect on the said Form, and the applicant shall thereupon be deemed to be enrolled.

9. *Attestation.*—(*1*) Every person enrolled shall be attested by the commanding officer by whom he has been enrolled, and for this purpose an oath or solemn affirmation shall be administered to him in one of the forms specified in Form II or in such other form to the

on his commencement.

(2) Any entry of the fact that a person enrolled has taken the oath or affirmation directed by this rule shall be endorsed on the enrolment form signed by him, and shall be authenticated by the signature of the commanding officer.

10. *Period of enrolment.*—(1) Subject to the provisions of Part II of these rules, every person accepted for enrolment shall be enrolled for a period of six years from the date of his attestation under rule 9 :

Provided that—

(a) any non-commissioned officer or man of the Indian Territorial Force at any time after the commencement of the last period of periodical training which he undergoes during his current term of enrolment, or

(b) any person who has completed a term of enrolment in the Indian Territorial Force, or

(c) any person who is discharged under rule 11 (3) from a University Corps after not less than 2 years' approved service, or,

(d) any soldier discharged from His Majesty's Indian Forces with not less than three years' approved service and with a good character,

may be enrolled for a period of four years.

(2) The enrolment of any person such as is referred to in clause (a) of the proviso to sub-rule (1) shall date from the date of the completion of his current term of enrolment.

PART II.

Discharge.

11. *Discharge.*—(1) Every person enrolled shall, on becoming entitled to receive his discharge under the Act or these rules, be so discharged with all convenient speed.

(2) Any such person may be discharged as hereinafter provided on any of the following grounds, namely :—

(a) that he has been convicted by a criminal or military court of an offence punishable with transportation or imprisonment ;

(b) that he has, in filling up any form prescribed by these rules or otherwise for the purpose of obtaining his enrolment, made any statement which was false and which he knew to be false or did not believe to be true ;

(c) that his service are no longer required ;

(d) that he is medically unfit for further service.

(3) Any person enrolled, who is for the time being appointed to a University Corps, shall be discharged on ceasing to be connected with, or to reside at, the University or, as the case may be, a college affiliated thereto.

12. *Discharging authority.*—The officer commanding any corps or unit may, on his own authority, discharge any person enrolled on any of the grounds specified in clauses (a) and (c) of sub-rule (2) and in sub-rule (3) of rule 11, but no person shall be discharged on the

ground specified in clause (*b*) of sub-rule (*2*) of that rule save under the orders of the Officer Commanding the District in which the corps or unit is located.

13. *Discharge on application.*—(*1*) Any enrolled person not entitled to his discharge under the Act or these rules, who is desirous of being discharged prior to the expiration of the period for which he was enrolled, shall apply in writing to the officer commanding the corps or unit to which he is for the time being appointed stating the reasons for the application.

(*2*) The commanding officer may either grant such application or forward it with his own recommendation thereon to the Advisory Committee constituted for the Province in which the corps or unit is located.

14. *Discharge certificate.*—Every enrolled person who is discharged from the Indian Territorial Force shall be furnished by his commanding officer with a certificate similar to that referred to in section 17 of the Indian Army Act, 1911.

VIII of 1911.

PART III.

TRAINING.

15. *Preliminary training.*—(*1*) Every person enrolled who has been appointed to a corps or unit other than a University Corps shall be liable, for the purpose of undergoing preliminary training, to be embodied, under the orders of the Officer Commanding the District in which the corps or unit is located, for a period or periods not exceeding in the aggregate 28 days.

(*2*) Every member of a University Corps shall be liable to undergo preliminary training consisting of not less than 78 hours of actual drill or instruction during the first six months after his enrolment; provided that a University vacation shall be disregarded in computing that period.

(*3*) The officer commanding any corps or unit may exempt, either wholly or in part, from liability to undergo preliminary training any person enrolled who has, in his opinion, undergone adequate military training under the Indian Defence Force Act, 1917, or otherwise.

III of 1917.

16. *Annual training.*—Every person who has undergone the preliminary training required by rule 15, or has been exempted from undergoing the same, shall be liable to undergo periodical training as herein provided, namely:—

(1) every such person who is not a member of a University Corps shall be liable to be embodied for periodical training for a period not exceeding 28 days in each training year;

(2) every member of a [illegible] not exceeding 15 days in each training year:

provided that any person enrolled who has been embodied for military service under section 9 for a period or periods aggregating not less than 20 days in any training year shall not be required to undergo periodical training during that year.

PART IV.

PAY AND ALLOWANCES.

17. *Pay and allowances.*—Every person enrolled, other than a person enrolled in a University Corps, shall for any period during which he is called out or embodied for training, and every person enrolled shall for any period during which he is called out or embodied for military service, be entitled to such pay and such allowances as are for the time being admissible to corresponding ranks of His Majesty's Indian Forces.

PART V.

DISCIPLINE DURING TRAINING.

Corps or units other than University Corps.

18. *Application of the Indian Army Act, 1911.*—The Indian Army Act, 1911, and the rules made thereunder in their application to members of the Indian Territorial Force, other than members of a University Corps, embodied for or otherwise undergoing military training, shall be modified to the extent and in the manner specified in Schedule II.

VIII of 1911.

University Corps.

19. *Offences.*—An officer, non-commissioned officer or man of a University Corps commits an offence if he, when embodied for or otherwise undergoing training under the Act, does any of the following acts, namely :—

(1) when on parade or undergoing military training or wearing His Majesty's uniform—

(*a*) strikes, or uses or offers violence to, or uses threatening or insubordinate language to, or behaves with contempt to, his superior officer ; or

(*b*) disobeys any standing order of, or lawful command given by, his superior officer ; or

(*c*) neglects to obey a general or garrison order made specially applicable to the Indian Territorial Force, by the officer commanding the corps to which he belongs ; or

(*d*) is in a state of intoxication ; or

(*e*) being a non-commissioned officer strikes or ill-treats any person subject to military law or to the Act, or to the Auxiliary Force Act, 1920, who is his subordinate in rank or position ;

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(2) without sufficient cause fails to appear at the place of parade at the time fixed or to attend at any place in his capacity

as a member of the Indian Territorial Force when duly required so to attend, or when on parade without sufficient cause quits the ranks;

(3) without sufficient cause fails to perform any part of the training which by or under the Act he is required to perform;

(4) strikes, or uses or offers violence to, any person whether subject to military law or not in whose military custody he is placed, and whether such person is or is not his superior officer;

(5) resists an escort whose duty it is to arrest him or detain him in military custody;

(6) being under arrest or detention or otherwise in lawful custody escapes or attempts to escape;

(7) when in charge of any property belonging to Government or to a corps or unit of the Indian Territorial Force makes away with, or is concerned in making away with, such property;

(8) wilfully injures, or by culpable neglect loses or causes injury to, any such property as is mentioned in clause (7);

(9) wilfully ill-treats a horse or other animal used in the public service;

(10) knowingly furnishes a false return or report of the number or state of men under his command or charge, or of any money, arms or ammunition, clothing, equipment, stores or other property in his charge;

(11) through design or culpable neglect omits to make or send any return of any matter mentioned in clause (10) which it is his duty to make or send;

(12) when it is his official duty to make a declaration respecting any matter, makes a declaration respecting such matter which he either knows or believes to be false or does not believe to be true;

(13) knowingly makes against any person subject to military law or to the Act or to the Auxiliary Force Act, 1920, an accusation which he either knows or believes to be false or does not believe to be true;

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(14) falsely personates any other person at any parade or on any occasion when such other person is required by or under the Act to do any act or attend at any place, or abets any such act of personation.

20. *Disposal of offences.*—An officer commanding a University Corps shall, after investigation held of a charge made against a member of that corps of any offence specified in rule 19, deal with the matter in one or other of the following ways, that is to say, he may—

(*a*) dismiss the charge; or

(*b*) deal with the case summarily; or

(*c*) refer the case for trial by a court-martial convened under these rules, as hereinafter provided; or

(*d*) where the offence is also an offence under the ordinary criminal law, take steps for bringing the offender to trial by the ordinary criminal courts ;

provided that the officer commanding shall deal summarily with every case in which he does not dismiss the charge, unless in his opinion the offence is of so serious a nature as to require that it should be otherwise dealt with.

21. *Summary and minor punishments.*—An officer dealing summarily with an offence under rule 19 may inflict punishment according to the following scale, that is to say, he may—

(*a*) order dismissal of the offender from the Indian Territorial Force with or without forfeiture of all or any arrears of pay and allowances and other public money due to him at the time of such dismissal ; or

(*b*) order the detention of the offender in military custody for a period not exceeding ten days ; or

(*c*) order stoppages of pay and allowances until any proved damage or loss occasioned by the offence of which the offender is charged is made good ; or

(*d*) order, in the case of a non-commissioned officer, reduction to a lower grade or to the ranks ; or

(*e*) order, in the case of a non-commissioned officer, forfeiture of seniority of rank ; or

(*f*) order the performance by the offender of additional drills not exceeding ten hours ; or

(*g*) severely reprimand the offender ; or

(*h*) reprimand the offender ;

(*i*) admonish the offender :

provided that the punishments specified in clauses (*b*) and (*c*) of this rule shall not be inflicted unless the offender was at the time of committing the offence embodied for training.

22. *Courts martial.*—Where a commanding officer decides under rule 20 that an offence should be tried by court-martial, he shall refer the case to the Officer Commanding the District in which the corps is undergoing training.

23. *Convening and constitution of courts-martial.*—(*1*) On receipt of a reference under rule 22, the Officer Commanding the District may either direct the officer making the reference to deal with the case under clause (*a*), (*b*) or (*d*) of rule 20, or may convene a court-martial consisting of three officers of whom not less than two shall be officers of His Majesty's regular forces and the third shall be an officer of the Indian Territorial Force not being—

(*a*) an officer who has taken any part in the investigation of the charge before trial ; or

(*b*) the prosecutor or a witness for the prosecution.

(2) The President of the court-martial shall be named by the convening officer.

24. *Powers of courts-martial.*—A court-martial constituted under rule 23 shall have power to try any member of a University Corps for any offence made punishable by rule 19 and to pass—

(*a*) in respect of any of the offences specified in sub-clauses (*b*), (*c*) and (*d*) of clause (1) or in clauses (2), (3), (8), (11) and (14) of rule 19, a sentence of fine not exceeding two hundred rupees ; or

(*b*) in the case of any other offence specified in rule 19, a sentence of imprisonment which may extend to two months, or of fine not exceeding two hundred rupees or both ; or

(*c*) in any case, any sentence which might have been passed by a commanding officer trying the offence summarily under rule 21.

25. *Procedure for courts-martial.*—The proceedings of courts-martial convened under these rules shall be conducted according to the laws and customs applicable to courts-martial held under the Indian Army Act, 1911, and that Act and the rules made thereunder shall, so far as may be, apply accordingly.

VIII of 1911.

26. *Confirmation.*—The findings and sentences of a court-martial convened under these rules may be confirmed by the officer by whom the court-martial was convened, and no such finding or sentence shall be valid save in so far as it may be so confirmed.

27. *Power to mitigate, remit, etc.*—(*1*) The confirming officer may when confirming the sentence of a court-martial, mitigate or remit the punishment hereby awarded, or commute that punishment for any less punishment or punishments to which the offender might have been sentenced by the court-martial, and may, if the sentence passed by the court-martial is found for any reason to be invalid pass a valid sentence.

provided that the punishment awarded by the sentence so passed shall not be higher in the scale of punishments than, or in excess of, the punishment awarded by the invalid sentence.

(*2*) For the purposes of sub-rule (1) a sentence of imprisonment or fine shall be deemed to be a greater punishment than any punishment specified in rule 21.

28. *Execution of sentences.*—(*1*) A sentence of imprisonment passed by a court-martial under these rule may be carried out in the same manner as a sentence of imprisonment awarded under the Indian Army Act, 1911.

VIII of 1911.

(*2*) A fine imposed by a court-martial under these rules may be recovered in the following manner, that is to say :—

(*i*) the Presiding Officer of the court-martial may send a certified copy of the sentence to the District Magistrate having jurisdiction in the area in which the fine [illegible]

[illegible], as if it had been imposed by him, and remit the amount recovered to the Presiding Officer.

Questions to be put before enrolment.	Number.
11. Have you ever served in His Majesty's Forces, the Reserve, the Indian Defence Force, or the Imperial Service Troops of any Indian State or the Nepal State Army? If so, state in which, the period of service and the cause of discharge?	11.
12. Have you truly stated the whole, if any, of your previous military service?	12.
13. Are you willing to be enrolled under the Indian Territorial Force Act, 1920?	13.
14. In which branch, corps or unit do you desire to be enrolled?	14.
15. Are you willing to undergo military training and to perform military service as specified in the Act and to allow no caste usages to interfere with your military duty?	15.
NOTE.—Non-interference with caste usages will be observed exactly as in the case of the Regular Army.	
16. Are you willing to serve until discharged as provided in the Act?	16.
17. Have you ever previously applied for enrolment under the Act and, if so, with what result?	17.
18. Have you been dismissed from the Indian Territorial Force?	18.
19. Do you solemnly declare that the answers you have made to the questions in this form are true and that no part of them is false, and that you are willing to fulfil the engagement made?	19.

Signature.

Certified that the applicant understands and agrees to the conditions of enrolment.

Signature of Enrolling Officer.

FORM OF OATH.

I do swear that I will be faithful and bear true allegiance to His Majesty the King-Emperor, His heirs and successors, and that I will, as in duty bound, honestly and faithfully serve in the Indian Territorial Force and go wherever I may be ordered by land or sea, and I will observe and obey all lawful commands of any officer set over me even to the peril of my life.

FORM OF AFFIRMATION.

I solemnly affirm that I will be faithful and bear true allegiance to His Majesty the King-Emperor, His heirs and successors, and that I will, as in duty bound, honestly and faithfully serve in the Indian Territorial Force and go wherever I may be ordered by land or sea, and I will observe all lawful commands of any officer set over me even to the peril of my life.

Duly $\frac{\text{sworn}}{\text{affirmed}}$ before me.

Signature of Attesting Officer.

Designation.

Date.

SCHEDULE II.

(See rule 18.)

Modifications of the Indian Army Act, 1911.

1. Sections 2 to 6 and 8 to 18 inclusive shall be omitted.
2. In sub-section (*2*) of section 20, for the words 'twenty-eight days' the words 'ten days' shall be substituted.
3. In sections 26, 28 and 34 after the word 'imprisonment' the words 'for a term not exceeding one year' shall be inserted.
4. In section 29 for the word 'death' the words 'imprisonment for a term not exceeding six months' shall be substituted.
5. In sections 30 and 31 after the word 'imprisonment' the words 'for a term not exceeding six months' shall be inserted.
6. In section 32 after the word 'imprisonment' the words 'for a term not exceeding two months' shall be inserted.
7. In sections 35, 36, 37, 38 and 39 after the word 'imprisonment' the words 'for a term not exceeding six months' shall be inserted.
8. Sections 41, 45, 46, 49A, 52A, 114, 115, 116, 126 and 127 shall be omitted.

Modifications of the Indian Army Act Rules.

1. Chapters II and III shall be omitted.
2. Rules 159 and 160 shall be omitted.
3. In rule 161, sub-rules (A) and (B) shall be omitted, and to sub-rule (C) the following shall be added, namely :—

(xx) each corps or unit ...

4. Rules 162 and 162A shall be omitted.
5. Sub-rule (C) of rule 163 shall be omitted.
6. Rules 163A and 165 shall be omitted.

RULES UNDER ACT XVIII OF 1921.

Maintenance Orders Enforcement.

THE MAINTENANCE ORDERS ENFORCEMENT RULES, 1922.

G. of I., Home Dept., Notn. No. F.—120, 11th May 1922, republished in Govt. Notn. No. S. 18—1, H. D., 22nd May 1922, B. G., 1922, Pt. I, p. 1225.

In exercise of the powers conferred by section 12 of the Maintenance Orders Enforcement Act, 1921, the Governor-General in Council is pleased to make the following rules :—

1. These rules may be called ' the Maintenance Orders Enforcement Rules, 1922 '.

2. In these rules the expression ' the Act ' means ' the Maintenance Orders Enforcement Act, 1921 (XVIII of 1921) '.

3. Where a maintenance order has been made against any person by a Court of superior jurisdiction in any reciprocating territory, and a certified copy of the order has been transmitted by the proper authority of that territory to the Governor General, the Governor General in Council shall send a copy of the order to the Registrar of the High Court, within the jurisdiction of which the person resides, for registration.

4. Where a maintenance order has been made against any person by a Court of summary jurisdiction in any reciprocating territory, and a certified copy of the order has been transmitted by the proper authority of that territory to the Governor-General, the Governor General in Council shall send a copy of the order through the Local Government to the presiding officer of the Court of summary jurisdiction, within the limits of which the person resides, for registration.

5. When the copy of the order referred to in rules 3 and 4 is received, the contents thereof shall be entered in a register maintained for the purpose in the form shown in the Schedule to these rules.

6. The notice referred to in sub-section (4) of section 6 of the Act, shall be issued to the person who applied under sub-section (1) of section 6, it shall contain particulars of the further evidence which is required by the Court in the reciprocating territory and shall also state the date when the further evidence will be taken.

7. When a certified copy of a provisional order for maintenance and the other documents referred to in sub-section (1) of section 7 of the Act, are received by the Governor General and it appears to the Governor General in Council that the person against whom the order is made resides in British India, the Governor General in